

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-38963-2021 (O&M)
Date of Decision:-28.2.2022

Salim ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Ms. Rosi, Advocate for the petitioner.

Mr. Rajiv Sidhu, DAG, Haryana.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner seeks grant of anticipatory bail in respect of a case registered against him vide FIR No.0253 dated 02.09.2021 at Police Station Sadar Tauru, District Nuh, under Sections 13(1) & 13(3) of the Haryana Gausamvardhan Sanrakshan & Gausamvardhan Act.
2. At the time of issuance of notice of motion on 20.9.2021, the following order was passed:

“The petitioner seeks grant of anticipatory bail in respect of a case registered against him vide FIR No.0253 dated 02.09.2021 at Police Station Sadar Tauru, District Nuh, under Sections 13(1) &

13(3) of the Haryana Gauvansh Sanrakshan & Gausamvardhan Act.

The FIR in question was lodged at the instance of one Jafaruddin, wherein it is alleged that he had been informed by somebody that two persons had slaughtered a cow in his fields and were selling beef in 1 Kg. and 2 Kgs. polythene bags. Upon receipt of said information, the complainant went to the fields, where he saw Saleem and Jameel selling beef in polythene bags. However, the said persons ran away from the spot. Later from the place of occurrence, beef, an axe, weighing scale, one wooden log and some pieces of ropes were recovered.

Learned counsel for the petitioner has submitted that he has falsely been implicated in the instant case and in fact it is a case where perhaps the complainant himself had slaughtered the cow in his fields and later upon apprehending the detection of the crime, he has come up with a story that some other two persons had slaughtered the cow in his fields. It has further been submitted that the petitioner in any case was never arrested at the spot, which would negate the allegations as levelled in the FIR.

Notice of motion for 28.02.2022.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join investigation as and when called upon to do so and cooperate with the Arresting/Investigating Officer and shall abide by the conditions as provided under Section 438(2) Cr.P.C.”

3. Learned State counsel, upon instructions from the Investigating Officer, has informed that pursuant to interim directions, the petitioner has since joined investigation and he is not required for any custodial interrogation. Learned

State counsel has informed that the petitioner stands involved in one more case.

4. Having regard to the aforesaid facts and circumstances and particularly the fact that the petitioner is stated to have joined investigation and is not required for any custodial interrogation, the petition is accepted and the interim directions issued by this Court vide order dated 20.9.2021 are hereby made absolute, subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438(2) Cr.P.C.

28.2.2022

pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No